

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**ABC IP, LLC; LAD, LLC; and
LAWRENCE DEMONICO**

Plaintiffs,

v.

**SPIDER HOLE, LLC; SPIKE’S TACTICAL,
LLC and MICHAEL REGISTER**

Defendants.

CIVIL ACTION NO.: 1:25-cv-00864

JURY TRIAL DEMANDED

PLAINTIFFS’ REQUEST FOR ENTRY OF DEFAULT

Plaintiffs ask the court clerk to enter a default against defendants, as authorized by Federal Rule of Civil Procedure 55.

A. INTRODUCTION

1. Plaintiffs are ABC IP, LLC; LAD, LLC; and Lawrence DeMonico.
2. Defendants are Spider Hole, LLC; Spike’s Tactical, LLC; and Michael Register.
3. On June 4th, 2025, plaintiffs sued defendants for conversion, declaratory judgment, breach of contract, fraud, unjust enrichment, and breach of fiduciary duty¹.
4. Defendants Spike’s Tactical, LLC and Spider Hole, LLC were served by personal service through their registered agent Michael Register on June 20, 2025. Copies of the returns of service are attached as Exhibits A & B respectively.
5. Michael Register avoided service in his personal capacity but was made well aware of the existence of the lawsuit through his role as the registered agent for the other two defendants.

¹ Not all claims were asserted against all defendants.

6. Michael Register hired counsel who offered to accept service on behalf of all parties² and for whom Plaintiffs offered numerous extensions to file a response to this Lawsuit, the most recent extension ending on September 15, 2025.

7. None of the defendants have filed a responsive pleading or otherwise defended the suit.

8. Plaintiff is entitled to entry of default.

B. ARGUMENT

9. The court clerk may enter a default against a party who has not filed a responsive pleading or otherwise defended the suit. Fed. R. Civ. P. 55(a); *City of N.Y. v. Mickalis Pawn Shop, LLC*, 645 F.3d 114, 129–30 (2d Cir. 2011); *see United States v. \$23,000 in U.S. Currency*, 356 F.3d 157, 163 (1st Cir. 2004).

10. The clerk should enter a default against defendants because defendants did not file a responsive pleading within 21 days after June 4th, 2025, the date of service. Fed. R. Civ. P. 12(a)(1)(A)(i); *see* Fed. R. Civ. P. 55(a).

11. The clerk should enter a default against defendants because defendants did not otherwise defend the suit. Fed. R. Civ. P. 55(a); *City of N.Y.*, 645 F.3d at 129–30.

12. Plaintiff meets the procedural requirements for obtaining an entry of default from the clerk as demonstrated by Lawrence DeMonico's sworn affidavit, attached as Exhibit C.

13. Because defendants did not file a responsive pleading or otherwise defend the suit, they are not entitled to notice of entry of default. *Haw. Carpenters' Tr. Funds v. Stone*, 794 F.2d 508, 512 (9th Cir. 1986); *see* Fed. R. Civ. P. 55(a). However, Plaintiffs will provide notice to Defendants of this pleading in the spirit of cooperation.

² See Plaintiff's Exhibit D.

C. CONCLUSION

14. Defendants have had ample time to respond to this lawsuit and have failed to do so. For these reasons, plaintiffs ask the clerk to enter a default in favor of plaintiffs against defendants Spider Hole, LLC and Spike's Tactical, LLC.

Dated: September 17, 2025

Respectfully submitted,

/s/ Jared Greathouse

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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that on September 17th, 2025, a copy of the above Request for Entry of Default was served upon Michael Long, counsel for all defendants, at mlong@brewerlong.com.

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